

JAN 29 2007 14:53 FR

734 302 7622 TO 915712738300

P.01/13

**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**Applicant(s): **Yuanchao LI et al.**

Docket No.

**133697-0016(new)**

Application No.

**10/540,908**

Filing Date

**June 27, 2005**

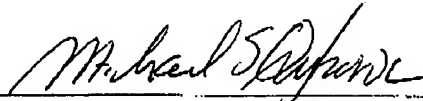
Examiner

**Unknown**

Group Art Unit

**1615**

Invention:

**TRIPTOLIDE DERIVATIVES AND THEIR USE****RECEIVED  
CENTRAL FAX CENTER****JAN 29 2007**I hereby certify that this **PETITION TO WITHDRAW HOLDING OF ABANDONMENT WITH EXHIBITS***(Identify type of correspondence)*is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. **571-273-8300**)on **Januray 29, 2007***(Date)***Michael S. Gzybowski***(Typed or Printed Name of Person Signing Certificate)*  
*(Signature)***Note: Each paper must have its own certificate of mailing.**

JAN 29 2007 14:53 FR

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P.02/13

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JAN 29 2007

Appl. No. 10/540,908

PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group  
Art Unit: 1615

Attorney  
Docket No.: 133697-0016 (new)  
13369701-0001 (old)

Applicant: Yuanchao LI et al.

Invention: TRIPTOLIDE DERIVATIVES AND THEIR  
USE

Serial No: 10/540,908

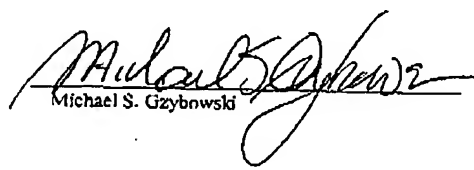
Filed: June 27, 2005

Examiner: Unknown

Certificate Under 37 CFR 1.8(h)

I hereby certify that this correspondence is being  
transmitted to the United States Patent and Trademark  
Office via facsimile transmission on the date indicated  
below.

on January 29, 2007

  
Michael S. GzybowskiPETITION TO WITHDRAW HOLDING OF ABANDONMENT  
UNDER 37 CFR §1.137(a) and §1.181

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

In response to the Notice of Abandonment mailed December 27, 2006, in connection with the  
above-identified application, applicants respectfully petition to have the holding of abandonment in  
this application withdrawn.

Appl. No. 10/540,908

As indicated in the Notice of Abandonment, the application was abandoned because of applicants' failure to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed January 12, 2006 within the time period set therein.

On January 17, 2006 applicants receive a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) (the "notification of MISSING REQUIREMENTS") which was mailed January 12, 2006.

The notification of MISSING REQUIREMENTS indicated that applicants' declaration was not in compliance with 37 CFR 1.497(a) and (b) because it did not identify the citizenship of each inventor.

The notification of MISSING REQUIREMENTS gave applicants two months from the notification of MISSING REQUIREMENTS to submit a corrected declaration and to pay the necessary surcharge.

On March 8, 2006 (within two months from the mailing date of the notification of MISSING REQUIREMENTS), applicants submitted a Response to the notification of MISSING REQUIREMENTS, including a corrected declaration (with the inventors' citizenship properly identified) and authorization to charge the surcharge fee to deposit account no. 12-2136.

A copy of applicants submitted a Response to the notification of MISSING REQUIREMENTS is being submitted herewith as Exhibit A, including: a copy of the notification of MISSING REQUIREMENTS, the corrected declaration, and Fee Transmittal.

Appl. No. 10/540,908

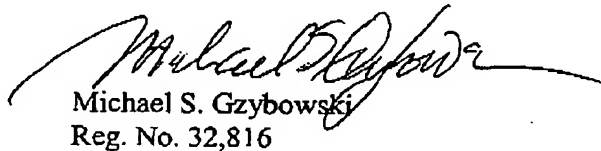
Also submitted as Exhibit B is a copy of applicants' receipt return postcard that indicates that Exhibits A and B were received by the USPTO on March 13, 2006.

However, inasmuch as the record clearly shows that the application was improperly abandoned by the USPTO because applicant's response to the notification of MISSING REQUIREMENTS Notice of Appeal was received but somehow not properly processed by the USPTO, it is requested the Notification of Abandonment be withdrawn.

It is further requested that any petition fee required to consider this petition to withdraw the holding of abandonment be waived or re-credited to Deposit Account No. 12-2136.

However, should it be necessary to charge a petition fee to consider this petition to withdraw the holding of abandonment authorization is given to charge such petition fee to Deposit Account No. 12-2136.

Respectfully submitted,



Michael S. Gzybowski  
Reg. No. 32,816

BUTZEL LONG  
350 South Main Street  
Suite 300  
Ann Arbor, Michigan 48104  
(734) 995-3110

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JAN 29 2007

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Group

Art Unit: 1615

## Attorney

Docket No.: 133697-0016 (NEW)  
(OLD - 13369701-0001)Applicants: Yuanchao LI, Jianping ZUO,  
Fan ZHANG, Ru ZHOU and Jian DINGInvention: TRIPTOLIDE DERIVATIVES AND  
THEIR USE

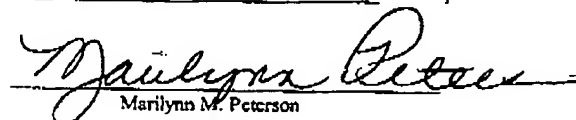
Serial No: 10/540,908

Filed: June 27, 2005

Examiner: Unknown

Certificate Under 37 CFR 1.8(a)I hereby certify that this correspondence is being  
deposited with the United States Postal Service as first  
class mail in an envelope addressed to: Commission  
For Patents, P. O. Box 1450, Alexandria, VA 22313-  
1450

on March 8, 2006

  
Marilynn M. PetersonRESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED / ELECTED OFFICESUBMISSION OF EXECUTED DECLARATIONCommissioner For Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated / Elected Office mailed January 12, 2006 in connection with the above-identified application, enclosed herewith is the signed and dated Declaration together with a copy of the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated / Elected Office.

000133697/0016/145537-1

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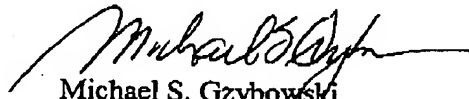
JAN 29 2007

As indicated in the Request For Refund Assertion Of Small Entity Status submitted herewith, the undersigned asserts that the applicants qualify as Small Entity. Accordingly, the Commissioner of Patents is authorized to charge Deposit Account No. 12-2136 to Butzel Long \$65.00 to cover the late declaration surcharge required under 37 CFR §1.492 (h).

In addition, the petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

It is believed that by submitting the signed and dated Declaration together with the requisite surcharge of \$65.00 and extension of time fees, the above-identified application is complete and may be processed for examination.

Respectfully submitted,



Michael S. Gzybowski  
Reg. No. 32,816

BUTZEL LONG  
350 South Main Street  
Suite 300  
Ann Arbor, Michigan 48104  
(734) 995-3110

02/01/2007 ATRAN1 00000129 122136 10540908  
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**JAN 29 2007**

Page 1 of 2



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSION FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/540,908	FIRST NAMED APPLICANT Yuanchao Li	ATTY. DOCKET NO. 13369701-0001-16
---	--------------------------------------	--------------------------------------

35684  
BUTZEL LONG  
350 SOUTH MAIN STREET  
SUITE 300  
ANN ARBOR, MI 48104

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BUTZEL LONG

**JAN 17 2006**

RESPONSE DUE:  
*3/16/2006*  
DOCKET 1 *3/16* DOCKET 2 *3/16*

INTERNATIONAL APPLICATION NO. PCT/CN03/00095	
I.A. FILING DATE 01/28/2003	PRIORITY DATE 12/27/2002

CONFIRMATION NO. 3339

371 FORMALITIES LETTER

OC000000017837370

Date Mailed: 01/12/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/27/2005
- English Translation of the IA filed on 06/27/2005
- Copy of the International Search Report filed on 06/27/2005
- Copy of IPE Report filed on 06/27/2005
- Preliminary Amendments filed on 06/27/2005
- Oath or Declaration filed on 06/27/2005
- U.S. Basic National Fees filed on 06/27/2005
- Assignment filed on 06/27/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the citizenship of each inventor.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$<sup>65</sup>~~130~~ for a *Small* ~~Large~~ Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,908	PCT/CN03/00095	13369701-0001

FORM PCT/DO/EO/905 (371 Formalities Notice)



ATTORNEY'S DOCKET NO. 133697-0016

**PCT/USA NATIONAL DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT  
APPLICATIONS IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNDER 35 U.S.C. SECTION 3719(c)(4)**

As a below named inventor, I herby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention described and claimed in international application number. **PCT/CN2003/000095** filed on January 28, 2003 entitled:

**TRIPTOLIDE DERIVATIVES AND THEIR USE**

and as amended on \_\_\_\_\_ (if any), which I have reviewed, and I understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above and for which I solicit a patent; that I do not know and do not believe that this invention was ever known or used in the United States of America before my or our invention or discovery thereof, or patented or described in any printed publication in any country before my or our invention or discovery thereof, or more than one year prior to my international application; that this invention was not in public use or on sale in the United States of America for more than one year prior to my international application; that this invention has not been patented or made the subject of an inventor's certificate issued before the date of my international application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months before my international application; that I acknowledge my duty to disclose information of which I am aware which is material to patentability of this application; and that prior to filing said international application, applications for patent or inventor's certificate on this invention of discovery which have been filed by me or my legal representatives or assigns in any country foreign to the United States of America are as follows:

(b) none filed more than 12 months prior to said international application, unless named below:

(b) earliest filed less than 12 months prior to said international application (the priority of which is hereby claimed under 35 U.S.C. Section 365):

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

000133697/0016/143766-1

ATTORNEY'S DOCKET NO. 133697-0016

As a named inventor, I hereby appoint Michael S. Gzybowski, Reg. No. 32,816 of Butzel Long, P.C., as attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**CUSTOMER NUMBER: 35684**

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

Michael S. Gzybowski  
Butzel Long, P.C.  
350 S. Main St., Suite. 300  
Ann Arbor, MI 48104

Michael S. Gzybowski  
Telephone: (734) 995-3110

Facsimile: (737) 995-1777

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from \_\_\_\_\_ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from who instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Full name of first joint inventor: Yuanchao Li  
Residence: Shanghai, P. R. China  
Citizenship: P. R. China  
Post Office Address: 294 Tai Yuan Rd., Shanghai 200031, P. R. China  
Inventor's Signature: Yuanchao Li Date: June 29, 2005

Full name of second joint inventor: Jianping ZUO  
Residence: Shanghai, P. R. China  
Citizenship: P. R. China  
Post Office Address: 294 Tai Yuan Rd., Shanghai 200031, P. R. China  
Inventor's Signature: Jing Zuo Date: June 23, 2005

Full name of third joint inventor: Fan ZHANG  
Residence: Shanghai, P. R. China  
Citizenship: P. R. China  
Post Office Address: 294 Tai Yuan Rd., Shanghai 200031, P. R. China  
Inventor's Signature: Fan Zhang Date: June 24, 2005

000133697/0016/143766-1

ATTORNEY'S DOCKET NO. 133697-0016

Full name of fourth joint inventor: Ru ZHOUResidence: Shanghai, P. R. ChinaCitizenship: P. R. ChinaPost Office Address: 294 Tai Yuan Rd., Shanghai 200031, P. R. ChinaInventor's Signature: Ru Zhou Date: June 25, 2005Full name of fifth joint inventor: Jian DINGResidence: Shanghai, P. R. ChinaCitizenship: P. R. ChinaPost Office Address: 294 Tai Yuan Rd., Shanghai 200031, P. R. ChinaInventor's Signature: J. Ding Date: June 24, 2005

Doc Code:

Approved for use through 07/31/2008. OMB 0651-0032  
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
<b>FEE TRANSMITTAL for FY 2005</b>		Application Number	10/540,908
		Filing Date	June 27, 2005
		First Named Inventor	Yuanchao LI, et al
		Examiner Name	Unknown
		Art Unit	1615
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	133697-0016
TOTAL AMOUNT OF PAYMENT (\$)		\$65.00	

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JAN 29 2007

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Deposit Account Number: 12-2136 Deposit Account Name: BUTZEL LONG

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.18 and 1.17 ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

- 20 or HP = \_\_\_\_\_ x \$25.00 = \$0.00

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

- 3 or HP = \_\_\_\_\_ x \$100.00 = \$0.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0	0	(round up to a whole) x \$125.00	\$0.00

**4. OTHER FEE(S)**

Non-English specification. \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): **LATE FILING SURCHARGE (SMALL ENTITY)** \$65.00

SUBMITTED BY			
Signature	<i>Michael S. Gzybowski</i>	Registration No. (Attorney/Agent)	32,816
Name (Print/Type)	Michael S. Gzybowski	Telephone	734.995.3110
		Date	March 8, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Receipt is Acknowledged of:****TYPE OF PAPER:** RESPONSE TO MISSING REQUIREMENTS and  
REQUEST FOR REFUND**CUSTOMER NO:** 35684**APPLICANTS:** Yuanchao Li et al.**APPLICATION NO.:** 10/540,098**FILING DATE:** June 27, 2005**EXAMINER:** Unknown**GROUP UNIT:** 1615**TITLE:** TRIPTOLIDE DERIVATIVES AND THEIR USES

Certificate of Mailing by "First Class Mail" (1 pg)  
Request for Refund Assertion of Small Entity Status (2 pgs)  
Response to Notification of Missing Requirements Under 35 USC  
371 in the U.S. Designated/Elected Office-Submission of Executive  
Declaration (2 pgs)  
Copy of Notification of Missing Requirements (2 pgs)  
Fee Transmittal (1 pg)

**DATE MAILED:** March 8, 2006  
**Our Ref.** 133697-016**Receipt is Acknowledged of:****TYPE OF PAPER:** RESPONSE TO MISSING REQUIREMENTS and  
REQUEST FOR REFUND**CUSTOMER NO:** 35684**APPLICANTS:** Yuanchao Li et al.**APPLICATION NO.:** 10/540,098**FILING DATE:** June 27, 2005**EXAMINER:** Unknown**GROUP UNIT:** 1615**TITLE:** TRIPTOLIDE DERIVATIVES AND THEIR USES

Certificate of Mailing by "First Class Mail" (1 pg)  
Request for Refund Assertion of Small Entity Status (2 pgs)  
Response to Notification of Missing Requirements Under 35 USC  
371 in the U.S. Designated/Elected Office-Submission of Executive  
Declaration (2 pgs)  
Copy of Notification of Missing Requirements (2 pgs)  
Fee Transmittal (1 pg)

**DATE MAILED:** March 8, 2006  
**Our Ref.** 133697-016**EXHIBIT B**